S.B. CIVIL MISC. APPEAL NO. 795/2001

Date : 09.03.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. T. Gupta for the appellant.
Mr. V.K. Vyas for the respondents.

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Heard.

This is an appeal for enhancement of the award. In all the Tribunal has awarded Rs. 76,000/- to the injured. In this award, Rs. 42,000/- is for the treatment, Rs. 2000/- is for the food etc, Rs.6000/- is for future loss of income and Rs. 6000/- is for the loss of income during the incapacity. This leaves Rs.20,000/- for disability. According to the medical report, the injured has sustained fractures in both the legs. According to medical report Ex.5, the injured has suffered fractures on the following bones :-

On right knee, fracture of mid part of femur and fracture of upper end of tibia.

(i) On left thigh, fracture of mid shaft of left femur.

In view of the fractures in both the legs, the amount of Rs.20,000/- awarded is considered to grossly insufficient. A man has been weakened in both his legs and he has been made to walk by supplementing the bones with rods. This amount of Rs.20,000/- is increased to Rs.1,00,000/-. Rest of the award is maintained. The Tribunal will pass a fresh award with the above modification.

The appeal is disposed of.

(BHAGWATI PRASAD, J.